

**AGENDA**  
**SPECIAL CITY OF TILLAMOOK COUNCIL MEETING**  
**~ TUESDAY, JUNE 26, 2012 AT 7:00 P.M. ~**  
**TILLAMOOK CITY HALL, 210 LAUREL AVENUE**  
**[www.tillamookor.gov](http://www.tillamookor.gov)**

**6:30 P.M. EXECUTIVE SESSION—Property Negotiations (ORS 192.660(2)(e))**

**7:00 P.M. CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**NEW BUSINESS:**

1. Request for Street Closure at 10<sup>th</sup> & Ivy on July 29, 2012
2. Request for increased work hours—3<sup>rd</sup> Street Project

**PENDING BUSINESS:**

1. Improvements to Kinsman Property

**LEGISLATIVE:**

1. Resolution #1609—Adoption of the 2012-13 Fiscal Year Budget and Levy of Property Taxes
2. Ordinance #1268—2<sup>nd</sup> Reading of An Ordinance for Vacation of Portions of Second Street and Ash Street

**COUNCIL CONCERNS – Non-Agenda Items**

**AUTHORIZATION TO PAY BILLS**

**ADJOURNMENT**

**THIS IS A PUBLIC MEETING PER ORS CHAPTER 192. THE CITY COUNCIL RESERVES THE RIGHT TO CALL AN EXECUTIVE SESSION PER ORS 192.660. CITY HALL IS HANDICAP ACCESSIBLE. PLEASE CONTACT THE OFFICE OF THE CITY MANAGER SHOULD SPECIAL ACCOMMODATIONS BE REQUIRED. CITIZENS WITH VISUAL OR MANUAL IMPAIRMENTS MAY CONTACT THE OREGON RELAY SERVICE BY PHONING 1-800-648-3458 (TDD) OR 1-800-848-4442 (VOICE). THE CITY OF TILLAMOOK IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER.**

**City Meetings for June and July 2012:**

1. Planning Commission, Thursday, June 28, 2012 @ 7:00 p.m.
2. Beautification Committee, Tuesday, July 10, 2012 @ 10:00 a.m.
3. Personnel Committee, Tuesday, July 10, 2012 @ 1:15 p.m.
4. Associations Committee, Tuesday, July 10, 2012 @ 5:30 p.m.
5. Tillamook Urban Renewal Agency (TURA): July 11, 2012 @ 5:30 p.m.
6. City Council: Special Meeting June 26, 2012 @ 7:00 p.m.; July 2, 2012 @ 7:00 p.m.; July 16, 2012 @ 7:00 p.m.

**POSTED: June 22, 2012**

City Hall \* Tillamook County Courthouse \* Tillamook Fire District \* Tillamook County Library

## Abigail Donowho

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**From:** Paul Wyntergreen  
**Sent:** Thursday, June 21, 2012 8:00 PM  
**To:** Abigail Donowho  
**Subject:** FW: Thing Number 1,334,234,985,625.3 for 2012

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**From:** Terry Wright  
**Sent:** Tuesday, June 12, 2012 2:46 PM  
**To:** Paul Wyntergreen  
**Subject:** Thing Number 1,334,234,985,625.3 for 2012

Shannon Ayers, 1816 10<sup>th</sup> Street, is requesting permission to close Ivy between 10<sup>th</sup> and 9<sup>th</sup> from 2 PM to 5 PM on Sunday, July 29<sup>th</sup> for a family block party. They did this last year with no problems. There is no alcohol allowed. This is not a well traveled area so no traffic problem. We went before PW Committee and then Council. I do not know if we have to do that again or can just approve. Please let me know, Terry

## Abigail Donowho

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**From:** Paul Wyntergreen  
**Sent:** Friday, June 22, 2012 2:59 PM  
**To:** Abigail Donowho  
**Subject:** Fwd: 3rd. Street Enhancement Project/ Tillamook, OR

Sent from my iPhone

Begin forwarded message:

**From:** Ian Machan <[ian.machan@otak.com](mailto:ian.machan@otak.com)>  
**Date:** June 22, 2012 2:00:23 PM PDT  
**To:** Arley Sullivan <[asullivan@tillamookor.gov](mailto:asullivan@tillamookor.gov)>, Liane Welch <[lwelch@co.tillamook.or.us](mailto:lwelch@co.tillamook.or.us)>  
**Cc:** Paul Wyntergreen <[pwyntergreen@tillamookor.gov](mailto:pwyntergreen@tillamookor.gov)>, Shawn Burge <[sburge@tillamookor.gov](mailto:sburge@tillamookor.gov)>, 16346 <[16346@otak.com](mailto:16346@otak.com)>  
**Subject:** RE: 3rd. Street Enhancement Project/ Tillamook, OR

Hi Arley,

I believe the request for extended work hours developed from our meeting yesterday with TFT and CenturyLink. The main discussion about extended work hours was with respect to CenturyLink, while they relocate their duct bank. However, it would make sense to me that while you bring this request to City Council, we also request that TFT may work these extended hours as well.

To formalize the request, we are asking that both TFT and CenturyLink (and their subcontractors) can work within the public ROW between the hours of 7am-7pm, seven days a week.

Please let me know if you have any further questions.

Thanks,  
Ian

Ian Machan  
Otak, Inc.  
v: 503.699.4546 | c: 503.313.6862

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**From:** Arley Sullivan [<mailto:asullivan@tillamookor.gov>]  
**Sent:** Friday, June 22, 2012 1:49 PM  
**To:** Ian Machan; Liane Welch  
**Cc:** Paul Wyntergreen; Shawn Burge  
**Subject:** 3rd. Street Enhancement Project/ Tillamook, OR

Ian,

I understand you want Paul (TFT) to accelerate work days and hours and to increase staffing on the project. That is fine, however your request has to go before the City Council to get permission to go beyond their ordinance that dictates work hours in public ROW. So if you could please send me an e-mail formalizing your request we can put it before the council for approval at their next meeting, that will be either

June 26<sup>th</sup> or July 2<sup>nd</sup>. The City Manager, Mr. Wyntergreen will decide the date.

Arley Sullivan

Public Works Director

[asullivan@tillamookor.gov](mailto:asullivan@tillamookor.gov)

Ph. 503-842-2472, Ext. 3446

Cell: 503-812-8801

## RESOLUTION NO. 1609

### A RESOLUTION ADOPTING THE CITY OF TILLAMOOK BUDGER FOR FISCAL YEAR 2012-2013, MAKING APPROPRIATIONS, LEVYING TAXES, AND CATEGORIZING THE TAXES

#### Section 1:

**BE IT RESOLVED** that the Tillamook City Council hereby **adopts** the budget approved by the City Budget Committee on May 15, 2012, now on file in the Office of the City Recorder.

#### Section 2:

**BE IT RESOLVED** that the expenditures for the fiscal year beginning July 1, 2012 as detailed below, are hereby **appropriated** as follows:

#### GENERAL FUND

Mayor and Council	\$	39,187
Administration		449,106
Planning		123,693
Police		1,010,761
City Hall		169,687
Unap.End Fund Balance		106,765
<b>TOTAL</b>	<b>\$</b>	<b>1,899,199</b>

#### SEWAGE DISPOSAL FUND

Personal Services	\$	341,006
Materials and Services		557,212
Capital Outlay		85,000
Debt Service		1,689,584
Unap.End Fund Bal.		320,821
<b>TOTAL</b>		<b>\$ 2,993,623</b>

#### STREETS, STORM DRAINAGE, AND PARKS FUND

Personal Services	\$	294,051
Materials and Services		180,502
Capital Outlay		185,022
Debt Service		24,870
Unap.End Fund Balance		23,161
<b>TOTAL</b>	<b>\$</b>	<b>707,606</b>

#### COMMUNITY DEV.BLOCK GRANT

Materials and Services	\$	2,000,000
<b>TOTAL</b>		<b>\$ 2,000,000</b>

#### 9-1-1

Materials and Services	\$	24,000
<b>TOTAL</b>		<b>\$ 24,000</b>

#### TRANSIENT HOTEL/MOTEL FUND

Personal Services	\$	162,564
Materials and Services		115,164
Capital Outlay		50,000
Transfers		25,000
<b>TOTAL</b>	<b>\$</b>	<b>352,728</b>

#### WATER

Personal Services	\$	588,946
Materials and Services		730,733
Capital Outlay		590,045
Debt Service		295,804
Unap.End Fund Bal.		221,776
<b>TOTAL</b>		<b>\$ 2,427,304</b>

#### SDC FUND

Materials and Services	\$	7,300
<b>TOTAL</b>	<b>\$</b>	<b>7,300</b>

<b>TOTAL APPROPRIATIONS, ALL FUNDS</b>	\$	9,739,237
<b>TOTAL UNAPPROPRIATED AMOUNTS, ALL FUNDS</b>	\$	672,523
<b>TOTAL ADOPTED BUDGET</b>	<b>\$</b>	<b>10,411,760</b>

**Section 3:**

**BE IT RESOLVED** that the City Council of the City Of Tillamook hereby **levies** the taxes provided for in the adopted budget at the rate of \$1.8021/\$1,000 of assessed value for operations; and that these taxes are hereby levied upon all taxable property within said district as of 1:00 a.m. on July 1, 2012. The following allocations and categorization subject to limits of Section 11b, article XI of the Oregon Constitution constitute the above aggregate levy:

Subject to the General  
Government Limitation

Excluded from the Limitation

General Fund	\$1.8021/\$1,000	0
Serial Levy Fund	0	0
Bonded Debt Fund	0	0
<b>TOTAL LEVY</b>	<b>\$1.8021/\$1,000</b>	

**Section 4:**

**BE IT RESOLVED** that the Tillamook City Recorder certify to the County Clerk and County Assessor, the tax rate made by this resolution and shall file with them a copy of the budget, as finally adopted.

**ADOPTED AND APPROPRIATED** by the Tillamook City Council at a duly publicized budget hearing held on June 18, 2012.

**APPROVED** by the Tillamook City Council this 26th day of June, 2012.

\_\_\_\_\_  
Mayor Date

ATTEST: \_\_\_\_\_  
City Recorder Date

## **ORDINANCE NO. 1268**

### **AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF SECOND STREET WEST OF BIRCH AVENUE, EAST OF ASH AVENUE BETWEEN BLOCKS 3 & 10 OF THE SECOND STILLWELL ADDITION AND A PORTION OF ASH AVENUE EXTENDING A DISTANCE OF APPROXIMATELY 270 FEET NORTH OF SECOND STREET WEST OF BLOCK 3 OF THE SECOND STILLWELL ADDITION LOCATED WITHIN THE CITY OF TILLAMOOK, TILLAMOOK COUNTY, OREGON**

**WHEREAS**, this matter came before the Tillamook City Council (hereafter "Council") in a public hearing on June 18, 2012, pursuant to ORS 271.120, and

**WHEREAS**, the Council is fully apprised of the records and files herein, and

**WHEREAS**, consent of all abutting property owners and signatures of more than 2/3 of property owners in an area of real property affected within the affected area defined as an area extending 200 feet on either side of the streets and 400 feet beyond each terminus of the proposed vacations, pursuant to ORS 271.080, and

**WHEREAS**, no written objections from land owners within the affected area (as prescribed by ORS 271.110) nor remonstrances were received, and

**WHEREAS**, the portion of Second Street proposed for vacation extends west of Birch Avenue, east of Ash Avenue between blocks 3 & 10 of the Second Stillwell Addition and the portion of Ash Avenue proposed for vacation extends a distance of approximately 270 feet north of Second Street west of Block 3 of the Second Stillwell Addition located within the City of Tillamook, Tillamook County, Oregon, and

**WHEREAS**, notice of the proposed vacation was given as provided in ORS 271.110, published in the Headlight Herald, a newspaper of general circulation within the City's jurisdictional boundaries, on May 30 and June 6, 2012. The date of first publication was not less than 14 days before the scheduled hearing, and further notice was posted in four of the most public places in the City, e.g. City Hall, Tillamook County Library, Tillamook County Courthouse, and Tillamook Fire District in Tillamook, on June 4, 2012, and posted at or near each end of the proposed vacations in at least two conspicuous places in the proposed vacation area at least 14 days before the hearing, and

#### **NOW, THEREFORE, the City ordains as follows:**

**Section 1.** The Tillamook City Council agrees that it is proper and expedient that said vacation be granted with the following conditions:

- 1) A twenty (20) foot public utility easement be recorded to benefit water, sewer, storm sewer, and City Public Works Department access within these vacated portions of Second Street and Ash Avenue and the adjacent property (Tax Lot 4400);
- 2) Pedestrian access be provided to the easement on this vacated portions of Second Street and Ash Avenue;
- 3) Consolidation of land-locked parcel (Tax Lot 4601) with adjacent property (Tax Lot 4500).

**Section 2.** The Tillamook City Council agrees that once these conditions are met, portion of Second Street proposed for vacation west of Birch Avenue, east of Ash Avenue between blocks 3

& 10 of the Second Stillwell Addition and the portion of Ash Avenue proposed for vacation extending a distance of approximately 270 feet north of Second Street west of Block 3 of the Second Stillwell Addition, as described in Attachment A and shown on the Assessor's Map in Attachment B, shall be vacated with title to said street portion attached to abutting property in equal proportions.

**PASSED** 1<sup>st</sup> reading by the City Council this 18<sup>th</sup> day of June, 2012.

**PASSED** 2<sup>nd</sup> reading by the City Council this 2<sup>nd</sup> day of July, 2012.

**ADOPTED** by the Tillamook City Council this 2<sup>nd</sup> day of July, 2012, 2012.

APPROVED:

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Suzanne Weber, Mayor

ATTEST:

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Abigail Donowho, City Recorder